

OPINION
56-17

July 23, 1956 (OPINION)

CITIES

RE: Advertising Levy - Proper Use

We have received your request for an opinion dated July 13, 1956.

The city of Fargo will be host to the International Junior Golf Tournament in August of this year. The city proposes to donate twenty-five hundred dollars to the Chamber of Commerce out of their city fund raised by a levy under authority of section 57-15101 of the 1955 Session Laws to help defray the expenses of this tournament. This section of the law authorizes the governing body of a city to levy not to exceed one-half mill for the purpose of advertising the resources and opportunities in the city and promoting the industrial development thereof.

We do not doubt this International Golf Tournament is a worthy venture and one that will reflect favorably upon the city of Fargo, but we do not believe it is the type of promotion the Legislature had in mind when it enacted section 57-15101. We feel the Legislature intended to allow cities to spend public funds to advertise the advantages the city offers in the line of business opportunities and natural and other resources and thereby promote the industrial development of the city. We cannot see how a golf tournament could possibly accomplish that purpose, except perhaps indirectly and in the same manner as any convention or gathering of people in the city might do.

We, therefore, agree with your opinion that funds levied under section 57-15101 cannot legally be used to promote the International Junior Golf Tournament to be held in Fargo this next August.

LESLIE R. BURGUM

Attorney General